

Council Committee Room C
February 13, 2006 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Downer, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillor Burcher and Ferraro

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. G. Stahlmann, Director of Community Services; Ms. P. Blais, Director of Human Resources; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Planning & Development Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Birtwistle
Seconded by Councillor Baily

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d) and (e) of the Municipal Act, with respect to:

- labour relations or employee negotiations;
- litigation or potential litigation.

Carried

The meeting adjourned at 5:01 o'clock p.m.

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Mayor

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Deputy Clerk

Council Committee Room C
February 13, 2006 5:02 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Burcher, Downer, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillor Ferraro

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. G. Stahlmann, Director of Community Services; Mr. A. Goldie, Manager of Recreation; Ms. P. Blais, Director of Human Resources; Mr. G. Hunt, Manager, Employee/Employer Relations, Assistant Director of Human Resources; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Ms. T. Sinclair, Assistant City Solicitor; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Planning & Development Services; Mr. J. Kivell, Director of Parks; Chief S. Armstrong, Director of Emergency Services; Mr. N. McLeod, Chief Librarian; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the matters regarding consideration of potential construction schedule and COMRIF funding with respect to the Organic Waste Processing Facility be dealt with the Planning, Environment & Transportation Committee at a public meeting.

Carried

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The Director of Corporate Services/City Solicitor provided an update with respect to a potential litigation matter.

2. Moved by Councillor Furfaro
Seconded by Councillor Birtwistle

Ms. L.E. Payne

THAT staff be given direction with respect to a potential litigation matter.

Carried

3. Moved by Councillor Furfaro
Seconded by Councillor Birtwistle

Ms. L.E. Payne

THAT staff be given direction with respect to a potential litigation matter.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Furfaro, Hamtak, Kovach, Moziar, Schnurr and Mayor Quarrie (8)

VOTING AGAINST: Councillors Birtwistle, Downer and Laidlaw (3)

The motion was carried.

Ms. L.E. Payne 4. Moved by Councillor Billings
Seconded by Councillor Birtwistle
THAT staff be given direction with respect to a potential litigation matter.

Carried

Dr. J.L. Laird 5. Moved by Councillor Furfaro
Seconded by Councillor Birtwistle
THAT staff be given direction with respect to a litigation matter.

Carried

Councillor Burcher arrived at 5:35 p.m.

Dr. J.L. Laird 6. Moved by Councillor Downer
Seconded by Councillor Kovach
THAT staff be given direction with respect to a litigation matter.

Carried

Staff provided a verbal update with respect to the negotiations.

The meeting adjourned at 6:30 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers
February 13, 2006

Council reconvened in formal session at 6:40 p.m.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Burcher, Downer, Ferraro, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillor Ferraro

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Planning & Development Services; Mr. S. Hannah, Manager of Development Planning; Mr. A. Hearne, Senior Development Planner; Ms. M. Castellan, Senior Development Planner; Mr. C. De Vriendt, Senior Development Planner; Ms. T. Sinclair, Assistant City Solicitor; Mr. R. Tolkunow, City Engineer; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

165 Dunlop Drive – proposed Zoning By-law Amendment (File ZC0112)

The Mayor advised that John Valeriote, solicitor for the applicant for a proposed Zoning By-law Amendment for lands municipally known as 165 Dunlop Drive has requested a deferral.

1. Moved by Councillor Furfaro
Seconded by Councillor Birtwistle

Mr. J. Valeriote
Mr. J. Riddell

THAT the application by SmithValeriote Law Firm LLP on behalf of Cargill (Better Beef Ltd.) for a Zoning By-law amendment from the I.2 (Institutional – Guelph Correctional Centre) Zone to the B.4-4 (Industrial) Zone for property municipally known as 165 Dunlop Drive and legally described as Part Lot 3, Concession 2, Division C, designated as Parts 1, 2, 3, 4, 5, 6, 7, 8 and 9 on Reference Plan 61R-8107 and Parts 1, 2, 3, 4 and 5 on Reference Plan 61R-8838 be deferred to March 13, 2006.

Carried

PLANNING PUBLIC MEETING

Mayor Quarrie announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

Westminster Market – proposed Official Plan Amendment and Zoning By-law Amendment to permit a Mixed Use Commercial Development (File OP0401 / ZC0402)

Allan Hearne, Senior Development Planner highlighted the application. He advised that staff consideration of urban design guidelines was critical in the review of this application. He suggested that this application is consistent with the urban design guidelines, the commercial policy review framework and is in conformity with the City's Official Plan and represents good planning.

Hugh Handy, Planner with GSP Group, planners on behalf of the applicant advised that a food store would act as the primary anchor in this commercial development. He suggested that the applicant has revised the concept plan to ensure a connection into the surrounding community. He further suggested that the proposal is consistent with the commercial policy review and conforms to the city's Official Plan. He advised he is supportive of the staff recommendation and that he believes that they can continue to address the community's concerns.

Steve Thompson on behalf of Loblaws Properties Ltd. provided clarification with respect to the size of the proposed food store and the services to be offered to the public. He advised that significant landscaping will be done on the site with large caliper sized trees being planted.

Joanne MacKinnon was present and suggested that commercial development is needed in the south end of the City. She suggested that she would like to see a development that enhances the character the City and be bicycle and pedestrian friendly in design. She further suggested that the services should be scaled to the neighbourhood and with a greater part of the site not dedicated to parking. She expressed concern that the adjacent wetlands be protected and also regarding potential inclusion of drive-thru facilities. She requested that this application be deferred until the commercial policy review is completed and the urban design guidelines are addressed.

Jan Hall expressed concern with the timing of this development as the commercial policy review will be coming before Council next month. She further expressed concern that the public was not aware of the potential size of this development when they were purchasing their homes. She suggested that this development will lead to a dramatic increase in traffic and pollution. She urged Council to table this application until the commercial policy review has been finalized and the impact of Places to Grow is assessed.

John Beaton expressed concern with the future expansion of this development. He further expressed concern with the pedestrian safety on Farley Drive which is narrow. He also expressed

concern that people will use Farley Drive as a short cut into the development.

Paul Clarkson on behalf of South End Community Awareness was present and advised that they are not opposed to commercial growth, but questioned the need for scale of development in the south end of the City. He expressed concern with the size of the development and the timing of the applications. He requested that this application be deferred until the commercial policy review is completed.

Susan Watson questioned the timing of the application as the commercial policy review will be coming before Council very shortly. She would like to see a store oriented for pedestrians. She suggested that the application is not consistent with Places to Grow or the Provincial policy statement.

Magee McGuire read Dr. Lori Hasulo's submission which expressed concern with the potential for increase in air pollution, traffic safety and the community connection which would allow people to walk and bicycle to the commercial development.

Tim Merritt was present in support of the proposed application. He expressed concern with the amount of money spend on studies. He suggested that the residents are getting tired of having to drive to other communities to access the products and services they want. He further suggested that this development would provide the citizens with amenities which other progressive cities are already providing their citizens.

Ben Bennett expressed concern with the potential for increased traffic in the vicinity of the proposed development. He also expressed concern with the impact this development would have on other small food stores in the City. He suggested that the city needs to have a commercial policy review discussion prior to considering this application, and that this application does not conform to the City's Official Plan and is not good urban design.

Assunta Marcolongo expressed concern with the large parking area. She requested that this application be deferred.

Mark MacKinnon suggested that as a realtor a large retail operation is a selling point for housing in the south end of the City. He advised that he is supportive of this application.

Hugh Whiteley suggested that the south end has a distinctive storm water system. He requested that conditions be included with respect to stormwater quality and quantity.

Celine Akram suggested that with more people living in the south end of the City, there is a need for a large food store. She expressed concern with increased traffic along Farley Drive. She

suggested that only one entrance to the site be allowed from Farley Drive.

Susan Ratcliffe questioned the ability of seniors to cross the parking lot and navigate in the large store as proposed. She encouraged Council to consider a gateway to the City that reflects its as a community. She urged Council to reject this application.

Stella Ostick questioned the inclusion of medical, fitness and optical clinic in a food store. She advised that she was in agreement with previous speakers in opposition to this application.

Brian Holstein questioned the rationale of wanting people to walk or bicycle to the shopping store and their ability to carry home their purchases. He questioned the timing of this application, when there is no intent to start construction for another two years. He suggested that the commercial policy review be finalized before a decision on this application.

2. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT the application by Westminister Woods Ltd. (File OP0401/ZC0402) for approval of an Official Plan Amendment (to replace the General Residential designation with a Community Commercial designation) and a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a new Specialized CC (Community Commercial) Zone, applying to lands municipally known as 1750 Gordon Street South, to permit a mixed use commercial development be deferred until the commercial policy review and aspects of Places to Grow legislation is reviewed to ensure compliance.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Birtwistle, Burcher, Downer, Kovach and Laidlaw (5)

VOTING AGAINST: Councillors Baily, Billings, Furfaro, Hamtak, Moziar, Schnurr and Mayor Quarrie (7)

The motion was defeated.

3. Moved by Councillor Furfaro
Seconded by Councillor Billings

THAT the applications by Westminister Woods Ltd. (File OP0401/ZC0402) for approval of an Official Plan Amendment (to replace the General Residential designation with a Community

Commercial designation) and a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a new, Specialized CC (Community Commercial) Zone, applying to lands municipally known as 1750 Gordon Street South, City of Guelph, to permit a

mixed use commercial development, be approved, in accordance with the Recommendations outlined in Schedule 1 attached hereto.

4. Moved in Amendment by Councillor Kovach
Seconded by Councillor Baily
THAT Condition #5 be amended to include the cost of the installation of traffic signals.

Carried

5. Moved in Amendment by Councillor Kovach
Seconded by Councillor Baily
THAT Condition #5 be amended to include the owner paying for the design, construction and installation of signage for pedestrian and pathway crossings.

Carried

6. Moved in Amendment by Councillor Kovach
Seconded by Councillor Birtwistle
THAT Condition #3 be amended to include that the site plan to come back to Council for approval;

AND THAT if required, the Site Plan Control By-law be amended to allow for Council approval of the Site Plan;

AND THAT staff develop a process for public input.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Burcher, Downer, Hamtak, Kovach, Laidlaw and Mayor Quarrie
(9)

VOTING AGAINST: Councillors Furfaro, Moziar and Schnurr
(3)

The motion was carried.

7. Moved in Amendment by Councillor Billings
Seconded by Councillor Baily
THAT Condition #3 be amended by including:
“THAT a Letter of Credit be taken to confirm that site works are completed in accordance with the approved site plan which shall illustrate building facades whose appearance are in keeping with the character of the surrounding neighbourhood.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Downer, Furfaro, Hamtak, Kovach, Laidlaw, Schnurr and Mayor Quarrie
(9)

VOTING AGAINST: Councillors Birtwistle, Burcher and Moziar
(3)

The motion was carried.

8. Moved by Councillor Furfaro
Seconded by Councillor Billings

Mr. H. Handy
Mr. J. Riddell
Mr. D.A. Kennedy
Mr. G.W. Stahlmann
Mr. D. McCaughan
Chief S. Armstrong
Dr. J.L. Laird
Ms. L.E. Payne

THAT the applications by Westminister Woods Ltd. (File OP0401/ZC0402) for approval of an Official Plan Amendment (to replace the General Residential designation with a Community Commercial designation) and a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a new, Specialized CC (Community Commercial) Zone, applying to lands municipally known as 1750 Gordon Street South, City of Guelph, to permit a mixed use commercial development, be approved as amended, in accordance with the Recommendations outlined in Schedule 1 attached hereto;

AND THAT Condition #3 be amended to include the site plan to come back to Council for approval;

AND THAT if required, the Site Plan Control By-law be amended to allow for Council approval of the Site Plan;

AND THAT staff develop a process for public input.

AND THAT Condition #3 be amended by including: "THAT a Letter of Credit be taken to confirm that site works are completed in accordance with the approved site plan which shall illustrate building facades whose appearance are in keeping with the character of the surrounding neighbourhood."

AND THAT Condition #5 be amended to include the cost of the installation of traffic signals.

AND THAT Condition #5 be amended to include the owner paying for the design, construction and installation of signage for pedestrian and pathway crossings.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Furfaro, Hamtak, Kovach, Moziar, Schnurr and Mayor Quarrie (9)

VOTING AGAINST: Councillors Burcher, Downer and Laidlaw
(3)

The motion was carried.

9. Moved by Councillor Billings

Seconded by Councillor Baily
THAT Council suspend Procedural By-law (1996)-15200 for
Council continue beyond 11:00 p.m. until 11:30 p.m.

Carried

10. Moved by Councillor Baily
Seconded by Councillor Billings
THAT the order on the agenda be amended to deal with the
applications in the following order:
- Aldo & Luigia Goegan:- 78 Eastview Road
 - 170 Southgate Drive

Carried

**Aldo & Luigia Goegan – proposed Zoning By-law Amendment
for lands known municipally as 78 Eastview Road, legally
described as Part Lot 2, Concession 5, Division C (File
ZC0507)**

John Valeriotte, solicitor on behalf of the applicant, was present to
answer any questions. There were no questions from Council.

11. Moved by Councillor Baily
Seconded by Councillor Billings
THAT the application (ZC0507) by John E. Valeriotte on behalf of
Aldo and Luigia Goegan for a Zoning By-law Amendment from
the existing Urban Reserve UR Zone to a Specialized Residential
Single Detached R.1B-? (H) Holding Zone for property known as
78 Eastview Road and legally described as Part Lot 2, Concession
5, Division C, City of Guelph, be approved in accordance with the
regulations and conditions set out in Schedule 2 attached hereto.

Mr. J. Valeriotte
Mr. J. Riddell
Mr. D. McCaughan
Dr. J.L. Laird
Mr. G.W. Stahlmann
Chief S. Armstrong
Mr. D.A. Kennedy
Ms. L.E. Payne

Carried

**170 Southgate Drive – proposed Zoning By-law Amendment
(File ZC0511)**

Robert Mullin was present on behalf of four various businesses in
the Hanlon Business Park and expressed concern with the
operation of the Gateway Pet Memorial Services Inc. and the
emission of odours. He stated that the pending Certificate of
Approval from the Ministry of the Environment does not prevent
odour. He suggested that such a business is not in keeping with the
surrounding business uses and is an inappropriate land use.

Robin-Lee Norris solicitor on behalf of the applicant, was present
and advised that there have been on concerns regarding odour until
recently. She further advised that her client has contacted
surrounding business in an effort to discuss their concerns. She
suggested that her client does not feel that the odours are
emanating from his business. She also advised that the business is

operating with the Ministry of the Environment guidelines. She requested that Council approve this application.

12. Moved by Councillor Billings
Seconded by Councillor Birtwistle

Ms. R.L. Norris
Mr. J. Riddell
Mr. D. McCaughan
Dr. J.L. Laird
Mr. G. Stahlmann
Chief S. Armstrong
Mr. D.A. Kennedy
Ms. L.E. Payne

THAT the application by Miller Thomson LLP on behalf of Gateway Pet Memorial Services Inc. for a zoning amendment from the B.2 Industrial Zone to a specialized B.2-? Industrial Zone for property municipally known as 170 Southgate Drive and legally described as Part Lot 31, Plan 680, being Part 1 on Reference Plan 61R-9657, City of Guelph, be approved, in the form of a Holding Zone and in accordance with the regulations and conditions set out in Schedule 3 attached hereto.

Carried

13. Moved by Councillor Baily
Seconded by Councillor Furfaro

THAT Council suspend Procedural By-law (1996)-15200 and continue until 12 midnight.

Carried

Pergola Drive-In Limited – proposed Residential and Commercial Draft Plan of Subdivision and associated Zoning By-law Amendment (File 23T-03507 / ZC9912)

Allan Hearne, Senior Development Planner advised that this application does not require an amendment to the Official Plan. He advised that Council is not being asked to make a decision today, but to hear the public comments.

Paul Nelson, solicitor for Brock Road Nursery was present and advised that his client is in support of the application. He requested that an additional clause be included with respect to grading along the common boundary which could read; The applicant enter into a written mutually satisfactory grading agreement with the adjoining nursery land owner at 1858 Gordon Street.

Paul Clarkson on behalf of South End Community Awareness requested that a decision on this application be deferred until the commercial policy review has been completed.

Susan Watson was not in attendance.

Jan Hall requested that this application be deferred until the commercial policy review has been completed, and the impact to the City of the Places to Grow legislation.

Nancy Shoemaker was present on behalf the applicant and advised that her client has operated a commercial establishment at this location for a number of years. She suggested that the City's

Official Plan contains policy relating to commercial designation and that this application is in accordance with those policies. She requested that staff determine if it is necessary to enter agreements with adjacent property owners and that agreement with neighbours regarding grading be entered into only if work is requested on the neighbour's property. She provided clarification with respect to the drive-thru usage as it relates to a financial institution and not a fast-food use.

Hugh Whiteley was present and suggested that a portion of the property is on the flank of the Paris Moraine and should be protected. He further suggested that a joint review by all infiltrating areas that are clustered around Gordon Street should be conducted to confirm that the overall groundwater system is functioning properly. He also suggested that Blocks 4, 5, 6 and 7 be removed from the application and not dealt with at this time.

14. Moved by Councillor Baily

Seconded by Councillor Hamtak

THAT Council suspend Procedural By-law (1996)-15200 and continue until 12:15 a.m.

Carried

Joanne MacKinnon expressed concern with respect to the protection of environmentally significant areas. She advised that her concerns on this application are similar to the concerns she expressed with the Westminster Market application.

15. Moved by Councillor Furfaro

Seconded by Councillor Billings

THAT the applications by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Pergola Drive-In Limited for approval of a residential and commercial Draft Plan of Subdivision and associated Zoning By-law Amendment (Files 23T-03507 / ZC9912), applying to lands municipally known as 1820 Gordon Street South, be placed on the agenda for the March 20, 2006 City Council meeting for a decision.

16. Moved in Amendment by Councillor Baily

Seconded by Councillor Kovach

THAT staff be requested to review specific zoning restrictions for a drive-thru use as it would relate to a financial institution;

AND THAT staff be directed to investigate the zoning restriction regarding drive-thru use which other municipalities have approved.

Carried

17. Moved in Amendment by Councillor Baily

Seconded by Councillor Burcher

THAT staff be directed to report back on the following:

- protection of the Paris Moraine as it relates to Blocks 4, 5, 6 and 7;
- overall storm water management
- water servicing.

Carried

18. Moved in Amendment by Councillor Birtwistle
Seconded by Councillor Baily

THAT an additional condition be included which reads as follows:
“The applicant enter into a written mutually satisfactory grading agreement with the adjoining nursery land owner at 1858 Gordon Street.”.

19. Moved by Councillor Billings
Seconded by Councillor Furfaro

THAT the matter of including a condition with respect to a site grading agreement with the adjoining nursery land owner at 1858 Gordon Street be referred to the March 20, 2006 Council meeting.

Carried

20. Moved by Councillor Furfaro
Seconded by Councillor Billings

Ms. N. Shoemaker
Mr. J. Riddell

THAT the applications by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Pergola Drive-In Limited for approval of a residential and commercial Draft Plan of Subdivision and associated Zoning By-law Amendment (Files 23T-03507 / ZC9912), applying to lands municipally known as 1820 Gordon Street South, be placed on the agenda for the March 20, 2006 City Council meeting for a decision;

AND THAT staff be requested to review specific zoning restrictions for a drive-thru use as it would relate to a financial institution;

AND THAT staff be directed to investigate the zoning restriction which other municipalities have approved;

AND THAT staff be directed to report back on the following:

- protection of the Paris Moraine as it relates to Blocks 4, 5, 6 and 7;
- overall storm water management
- water servicing;

AND THAT the matter of including a condition with respect to a site grading agreement with the adjoining nursery land owner at 1858 Gordon Street be referred to March 20, 2006.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Burcher, Downer, Furfaro, Hamtak, Kovach, Laidlaw, Moziar, Schnurr and Mayor Quarrie. (12)

VOTING AGAINST: (0)

The motion was carried.

ADJOURNMENT

The meeting adjourned at 12:15 o'clock a.m.

Minutes read and confirmed March 6, 2005.

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Mayor

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Deputy Clerk

Official Plan Amendment

- Mapping changes as necessary
- Policy 7.4.15.3 shall be added to the Plan. The proposed Official Plan Amendment would expand the existing Community Commercial Centre land use designation as it applies to the site from the existing 1,871 square metres (20,500 square feet) limitation to 17,651 square metres (190,000 square feet) of gross leasable floor area. The CC designation will cover the entire site and is site specific to lands at 1750 Gordon Street South.
- Policy 7.4.15.3 shall also highlight the need for development to meet the intent of all applicable Urban Design Guidelines including requirements from the SGCP, the SGDC and the proposed CPR.
- Medium Density Residential Uses will be allowed on the site.

Zoning Bylaw Amendment

To rezone the site to a specialized Commercial Shopping Centre CC-?_ Zone, allowing uses outlined in Section 6.2.1.2 of the Bylaw, subject to regulations outlined in Section 6.2.2 of the Bylaw, with the following changes and additions:

- Exception of Maximum lot area of 6.48 hectares (16 acres) in lieu of 5 hectares (12.35 acres) specified in Table 6.2.2 of the Zoning By-law.
- Exception of Maximum gross leasable floor area of 17,651 square metres (190,000 square feet) in lieu of 12,500 square metres (134,553 square feet) specified in Table 6.2.2 of the Zoning By-law.
- Include a “build to line” zoning regulation of 3 metres applying to Gordon Street, Clair Road and Farley Drive frontages of the site, with the exception of the main food store building which shall be setback a maximum distance of 25.84 metres (85 feet) from Gordon Street and 13 metres (43 feet) from Farley Drive.
- Prohibit gas bars and drive-through facilities from within 50 metres of the corners of the subject site.
- Require a minimum building height restriction of two storeys at the corner of Gordon Street and Clair Road.
- Add ‘institutional’ uses in accordance with Section 8.1.1 (Institutional Zone Uses).”

Conditions

1. The owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, building elevations, signage details, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services, prior to the issuance of a building permit, such plan to meet the Urban Design conditions set out below and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
2. The developer, prior to the approval of any site plan for the subject lands, shall satisfy all goals and objectives of the following list of applicable urban design guidelines, to the satisfaction of the Director of Planning and Development Services, as follows:
 - City Urban Design Guidelines
 - SGCP guidelines
 - SGDC guidelines
 - CPR guidelines
3. The Owner commits and agrees that the details of the layout and design for development of the subject lands shall be generally in accordance with the concept plan attached to the February 13, 2006 report by Loblaw Properties Limited dated January 2006 and shall address all of the elements of good urban design as outlined by the City of Guelph Urban Design Guidelines including the City Urban Design Guidelines, the SGCP guidelines, the SGDC guidelines and the proposed CPR guidelines, to the satisfaction of the Director of Planning and Development Services.
4. The owner shall pay the actual cost of constructing and installing any service laterals required to service the lands.
5. The owner shall pay the actual cost of designing and constructing traffic signals including interconnections, turning lanes, utility relocations, driveway entrances and openings in existing medians all within municipal right-of-ways in accordance with City standards. This shall include signalization and traffic calming at the Goodwin Drive intersection to ensure public safety.
6. The owner shall install signage that ensures that appropriate traffic movements are made at each access to the site.
7. That no access onto Gordon Street or Farley Drive from the lands be constructed closer than 60m to Clair Road in accordance with City of Guelph standards.
8. Prior to the granting of site plan approval by the City, the owner shall submit to the City for approval, a noise assessment report, to confirm that the proposed commercial use and activity, especially the truck loading and delivery area on site, in hand with the proposed zoning restrictions and regulations, mitigate impacts on the adjacent residential neighbourhood, to the satisfaction of the Director of Planning and Development Services.

9. Prior to any development or grading of the site, the developer shall submit to the City, a report indicating how regular dust suppression will be accomplished during the construction phase of the development.
10. The owner shall execute and have registered on title to the lands, a Site Plan Agreement containing all conditions approved by City Council.”

Regulations for the Specialized Residential Single Detached R.1B-? Zone

R.1B-? (H)

78 Eastview Road

As shown on Defined Area Map Number 50 of Schedule “A” of this By-law.

Regulations

In accordance with Section 4 (General Provisions), Section 5.1.2 and Table 5.1.2 (Residential Single Detached) Zone regulations, with the following exception:

- minimum lot frontage of **14 metres** (where 15 is required in the R.1B Zone)
- minimum front yard setback of **12 metres** (where 6 metres is required in the R.1B Zone)

Holding Provision

As shown on the Defined Area Map Number 50 of Schedule “A” of this By-law.

Purpose

To ensure that the development of the lands does not proceed until the owner has completed certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions

Prior to the removal of the holding symbol “H?”, the owner shall complete the following conditions to the satisfaction of the City:

1. That the owner shall receive approval for the necessary consent applications (ie. severances) to create the lots and the deeds shall be endorsed.
2. That the owner enters into an **Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements for the development of the lands, financial and otherwise to the satisfaction of the City of Guelph.

REGULATIONS AND CONDITIONS

This zoning amendment is for the property municipally known as 170 Southgate Drive and legally described as, Part Lot 31, Plan 680, being Part 1 on Reference Plan 61R-9657, City of Guelph.

The following zoning is proposed:

Specialized Industrial B.2-? Zone (H)

Permitted Uses

In addition to the permitted *Uses* listed in Section 7.1.1, the following additional *Use* shall be permitted in the B.2-? *Zone (H)*:

- Animal Crematorium - means a building fitted with appliances for the purpose of cremating companion animal remains and includes everything incidental and ancillary thereto. This type of crematorium specifically excludes the cremation of livestock and undomesticated animal remains.

Regulations

In accordance with Section 7.3 of Zoning By-law (1995) – 14864, as amended.

Holding Zone Provisions

170 Southgate Drive

Purpose

To ensure that the use of the lands for an animal crematorium does not proceed until the owner has completed certain conditions to the satisfaction of the City of Guelph.

Interim Uses

In accordance with Section 7.1.1

Conditions

Prior to the removal of the Holding symbol (H), the owner shall complete the following conditions to the satisfaction of the City:

- The Owner shall demonstrate to the City that the requirements for approval of the Ministry of Environment Certificate of Approval (Air) have been met.